

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHRISTOPHER WAYNE WEBB,)	
)	
Petitioner,)	
vs.)	NO. CIV-13-0493-HE
)	
JUSTIN JONES, Director, et al.,)	
)	
Respondents.)	

ORDER


Petitioner, a state prisoner appearing *pro se*, filed this action pursuant to 28 U.S.C. § 2254 seeking habeas relief. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred for initial proceedings to Magistrate Judge Gary M. Purcell. Judge Purcell has recommended that the action be transferred to the United States District Court for the Eastern District of Oklahoma, where jurisdiction exists because the petitioner is challenging a conviction obtained in a state court located in that judicial district. 28 U.S.C. § 2241(d). While jurisdiction also exists in the Western District of Oklahoma because the petitioner is incarcerated at the Lawton Correction Facility, *id.*, the magistrate judge recommended that the action be transferred in the interest of justice because court records and counsel are generally located in the district where the conviction was entered. Objections to the magistrate judge's recommendation were due by June 5, 2013.

The petitioner, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) ("A judge of the court shall make a de novo determination of those portions of the report or

specified proposed findings or recommendations *to which objection is made.*" (emphasis added)). Accordingly, the court adopts Magistrate Judge Purcell's Report and Recommendation [Doc. #5] and **TRANSFERS** this case to the Eastern District of Oklahoma for all further proceedings. 28 U.S.C. §2241(d).

IT IS SO ORDERED.

Dated this 18th day of June, 2013.



JOE HEATON
UNITED STATES DISTRICT JUDGE